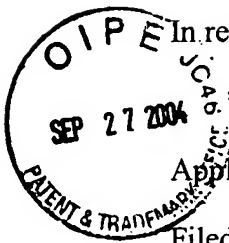


IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of:

AQUILA, B.M. et al.

Application No: 10/789,414

Filed: February 27, 2004

For: *Methods for the Stereoselective
Synthesis of Substituted Piperidines*

Art Unit: 1632

Examiner: Not Yet Assigned

Atty Docket No.: SPV-047.02
(20473-4702)

Certificate of Mailing

I hereby certify that this "Information Disclosure Statement" is being deposited with the U. S. Postal Service as First Class Mail with sufficient postage on the date set forth below in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

September 24, 2004

Date of Signature and Mail Deposit

By: 

Brett Clemens

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of references AA – AF are not required because this application was filed after June 30, 2003, and copies of references AG – AM are not provided as they were previously cited by or submitted to the Patent Office in prior patent application serial no. 10/012242 filed December 4, 2001, relied upon for an earlier filing date under 35 U.S.C. §120.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed:

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office Action** on the merits, or before the mailing of a **first Office Action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or
- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Respectfully submitted,



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Date: September 24, 2004
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Form PTO-1449

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**
(Use several sheets if necessary)

SEP 27 2004

Docket Number (Optional)
SPV-047.02 (20473-4702)

Application Number
10/789,414

Applicant
AQUILA, B.M. et al.

Filing Date
February 27, 2004

Group Art Unit
1632
U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
AA	US 5,972,952	10/26/99	Kamenka et al.	514	279	
AB	US 5,952,506	09/14/99	Jirkovsky	546	221	
AC	US 5,420,283	05/30/95	Dugger	546	223	
AD	US 5,332,817	07/26/94	Desai et al.	546	16	
AE	US 5,013,842	05/07/91	Fleet et al.	546	220	
AF	US 4,012,396	03/15/77	Grethe et al.	260	293.77	

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
AG	WO 01/92226 A1	12/06/01	PCT				X
AH	WO 00/71518 A2	11/30/00	PCT				X
AI	WO 99/56699	11/11/99	PCT				X
AJ	EP 0 406 124 A1	01/02/91	European Patent Application				X

OTHER DOCUMENTS*(Including Author, Title, Date, Pertinent Pages Etc.)*

AK	International Search Report Mailed on July 05, 2002
AL	Pu and Yu; "Catalytic Asymmetric Organozinc Additions to Carbonyl Compounds", Chem. Rev. 101: 757-824, (2001)
AM	Seebach et al.; "Enantio- and Diastereoselective Titanium-TADDOLate Catalyzed Addition of Diethyl and bis (3-Buten-1-yl) Zinc to Aldehydes a Full Account with Preparative Details ^{1,2} ", Tetrahedron 50(15): 4363-4384, (1994)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE